

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
OCT - 1 2021	
"NO COPY"	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: _____	DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA,)
2)
3 Plaintiff,)
4)
5 WALKER RIVER PAIUTE TRIBE,)
6)
7 Plaintiff-Intervenor,)
8)
9 v.)
10 WALKER RIVER IRRIGATION DISTRICT,)
11 a corporation, et al.,)
12 Defendants.)
13)
14 MINERAL COUNTY,)
15)
16 Plaintiff-Intervenor,)
17)
18 v.)
19 WALKER RIVER IRRIGATION DISTRICT,)
20 et al.,)
21 Defendants.)
22)
23)
24)
25)
26)
27)
28)

3:73-cv-00128-MMD-WGC

**DISCLAIMER OF INTEREST
IN WATER RIGHTS AND
NOTICE OF RELATED
INFORMATION AND
DOCUMENTATION
SUPPORTING DISCLAIMER**

The undersigned defendant in the above action hereby notifies the Court and Mineral County that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in either any water right subject to the Walker River Decree or any water right based on ownership of riparian land within the California portion of the Walker River Basin, and therefore, **disclaims all interest in this action.**

In addition, because the undersigned sold or otherwise conveyed ownership of all of the water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a *Waiver of Personal Service of Notice in*

1 *Lieu of Summons* or by a *Notice in Lieu of Summons* the undersigned provides the following
2 additional information:

3 1. The name and address of the defendant or defendants who sold or otherwise conveyed
4 ownership:

5 Stephen A. Marti
6 Name(s)

7 Box 1738
8 Street or P.O. Box

9 Gardnerville NV 89410
10 Town or City State Zip Code

11 2. The name and address of each person or entity who acquired ownership:

12 Misti Sullivan
13 Timothy Sullivan
14 Name(s)

15 P.O. Box 68
16 Street or P.O. Box

17 Bridgeport CA 93517
18 Town or City State Zip Code

19 3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- 20 Deed
- 21 Court Order
- 22 Other Document

23 4. The undersigned acknowledges that any person or entity who files a Disclaimer of
24 Interest in this matter is ultimately responsible for the accuracy of this filing.

25 *This notice shall be filed with the Court at the following address and served as indicated on the attached
26 certificate of service.

27 Chief Deputy Clerk
28 United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

1 Consequently, the undersigned acknowledges that any person or entity who files such a
2 notice, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by
3 the results of this litigation.

4 Executed this 30th day of September, 2021

5
6 
7 [signature of defendant]

8 Stephen A. Marti
9 [name of defendant]

10
11 _____
12 [signature, if applicable, of person
acting on behalf of defendant]

13
14 _____
15 [name, if applicable, of person acting
on behalf of defendant]
16 PO Box 1738
1286 Centerville LN
GARDNERVILLE NV 89410
17 [address]

18
19 775 412 5615
20 [telephone number]

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CERTIFICATE OF SERVICE

I certify that on 9-30-2021, 2021, I filed the foregoing with the Clerk of the Court, which will send notification of such filing via the CM/ECF system to the parties of record represented by an attorney and by email to unrepresented parties consenting to electronic service.



A handwritten signature in black ink, appearing to read "A. A. Mard", is written over a horizontal line.

September 30, 2021

Chief Deputy Clerk
United States District Court
for the District of Nevada

Disclaimer of interest
In Water Rights and
Notice of related
Information and
Documentation
Supporting disclaimer

Documents show Loretta Beth Eitel as the Primary Owner of Record, Water Right License ID: 000903 1/15/1987 to 6/13/2016.

Misti Sullivan became the Primary Owner of Record, Water Right License 000903 6/13/2016.

The certificate of Death show's Lori was the Primary Owner of Record when the business sold in 2016. Her passing is the reason I am acting as the named defendant.

Thank you

A handwritten signature in black ink, appearing to read "Stephen A. Marti". The signature is written in a cursive style with a large initial "S" and "M".

Stephen A Marti

(STATE OF NEVADA)
CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
VITAL STATISTICS

CASE FILE NO. 4071665

CERTIFICATE OF DEATH

2019005427
 STATE FILE NUMBER

TYPE OR
 PRINT IN
 PERMANENT
 BLACK INK

DECEDENT

IF DEATH
 OCCURRED IN
 INSTITUTION SEE
 HANDBOOK
 REGARDING
 COMPLETION OF
 RESIDENCE
 ITEMS

PARENTS

DISPOSITION

TRADE CALL

CERTIFIER

REGISTRAR

CAUSE OF
 DEATH

CONDITIONS IF
 ANY WHICH
 GAVE RISE TO
 IMMEDIATE
 CAUSE
 STATING THE
 UNDERLYING
 CAUSE LAST

1a. DECEASED-NAME (FIRST,MIDDLE,LAST,SUFFIX) Loretta Beth EITEL-MARTI		2. DATE OF DEATH (Mo/Day/Year) March 10, 2019		3a. COUNTY OF DEATH Douglas	
3b. CITY, TOWN, OR LOCATION OF DEATH Gardnerville		3c. HOSPITAL OR OTHER INSTITUTION -Name (If not either, give street address) 1286 Centerville Lane		3e. If Hosp. or Inst. indicate DOA,OP/Emer. Rm. Inpatient(Specify) Home	
4. SEX Female		5. RACE (Specify) White		6. Hispanic Origin? Specify No - Non-Hispanic	
7a. AGE-Last birthday (Years) 74		7b. UNDER 1 YEAR MOS DAYS		7c. UNDER 1 DAY HOURS MINS	
8. DATE OF BIRTH (Mo/Day/Yr) May 24, 1944		9a. STATE OF BIRTH (If not US/CA, name country) California		9b. CITIZEN OF WHAT COUNTRY United States	
10. EDUCATION 14		11. MARITAL STATUS (Specify) Married		12. SURVIVING SPOUSE'S NAME (Last name prior to first marriage) Stephen MARTI	
13. SOCIAL SECURITY NUMBER 548-68-4672		14a. USUAL OCCUPATION (Give Kind of Work Done During Most of)		14b. KIND OF BUSINESS OR INDUSTRY Hospitality	
15a. RESIDENCE - STATE Nevada		15b. COUNTY Douglas		15c. CITY, TOWN OR LOCATION Gardnerville	
15d. STREET AND NUMBER 1286 Centerville Lane		15e. INSIDE CITY LIMITS (Specify Yes or No) Yes		Ever in US Armed Forces? No	
16. FATHER/PARENT - NAME (First Middle Last Suffix) Richard Olin HUTCHINSON			17. MOTHER/PARENT - NAME (First Middle Last Suffix) Virginia KING		
18a. INFORMANT- NAME (Type or Print) Stephen A MARTI		18b. MAILING ADDRESS (Street or R.F.D. No, City or Town, State, Zip) 1286 Centerville Lane Gardnerville, Nevada 89410			
19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify) Cremation		19b. CEMETERY OR CREMATORY - NAME Autumn Cremation Services		19c. LOCATION City or Town State Carson City Nevada 89701	
20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such) JOHN LAWRENCE SIGNATURE AUTHENTICATED		20b. FUNERAL DIRECTOR LICENSE NUMBER FD304		20c. NAME AND ADDRESS OF FACILITY Autumn Funerals & Cremations 1575 N Lompa Ln Carson City NV 89701	
TRADE CALL - NAME AND ADDRESS					
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title) NITA SCHWARTZ MD SIGNATURE AUTHENTICATED			22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)		
21b. DATE SIGNED (Mo/Day/Yr) March 20, 2019		21c. HOUR OF DEATH 08:45		22b. DATE SIGNED (Mo/Day/Yr)	
21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)		22c. HOUR OF DEATH		22d. PRONOUNCED DEAD (Mo/Day/Yr)	
22e. PRONOUNCED DEAD AT (Hour)		23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print) Nita Schwartz MD 710 W. Washington St. Carson City, NV 89703		23b. LICENSE NUMBER 9114	
24a. REGISTRAR (Signature) ANGELICA RAMIREZ SIGNATURE AUTHENTICATED		24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr) March 20, 2019		24c. DEATH DUE TO COMMUNICABLE DISEASE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).)					
PART I (a) Pancreatic Cancer With Metastasis					
DUE TO, OR AS A CONSEQUENCE OF: Interval between onset and death					
(b) DUE TO, OR AS A CONSEQUENCE OF: Interval between onset and death					
(c) DUE TO, OR AS A CONSEQUENCE OF: Interval between onset and death					
(d) DUE TO, OR AS A CONSEQUENCE OF: Interval between onset and death					
PART II OTHER SIGNIFICANT CONDITIONS-Conditions contributing to death but not resulting in the underlying cause given in Part I.				26. AUTOPSY (Specify Yes or No) No	
27. WAS CASE REFERRED TO CORONER (Specify Yes or No) No					
28a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST. (Specify)		28b. DATE OF INJURY (Mo/Day/Yr)		28c. HOUR OF INJURY	
28d. DESCRIBE HOW INJURY OCCURRED					
29a. INJURY AT WORK (Specify Yes or No)		29b. PLACE OF INJURY: At home, farm, street, factory, office building, etc. (Specify)		29c. LOCATION STREET OR R.F.D. No. CITY OR TOWN STATE	

STATE REGISTRAR



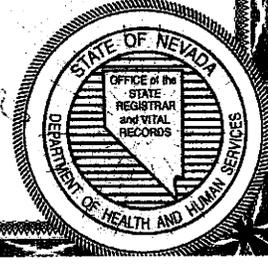
CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records.

DATE ISSUED: **MAR 21 2019**

Julie Katcheva
 STATE REGISTRAR

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar.





STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

Book

LICENSE 903 PERMIT 1594 Notice of Assignment (Over) APPLICATION 3464

THIS IS TO CERTIFY, That **Charles M. Henn, Bridgeport, California,**

has made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of a spring in Mono County

tributary of Robinson Creek and East Walker River Drainage Area

for the purpose of irrigation under Permit 1594 of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from June 4, 1923;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed fifty-five hundredths (0.55) cubic feet per second from about April 1st to about October 31st of each season provided that in accordance with the provisions of Section 43 of the Water Commission Act, nothing herein shall be construed as confirming the right to use more than two and one-half (2½) acre feet of water per acre in any one year in the irrigation of uncultivated areas of land not devoted to cultivated crops.

The point of diversion of such water is located North four hundred fifty (450) feet and West three hundred thirty (330) feet from center of Section 29, T 4 N, R 24 E, M.D.B. & M. being within the SE¼ of NW¼ of said Section 29.

A description of the lands or the place where such water is put to beneficial use is as follows:

20 acres within the NW¼ of SE¼)
24 acres within the SW¼ of SE¼) Section 28, T 4 N, R 24 E, M.D.B. & M.
44 acres, total

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

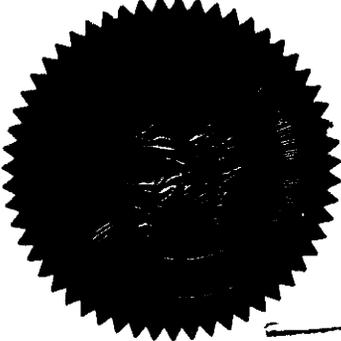
This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes 1913, which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the service or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal use of the entire appropriation permitted; and providing, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess water, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this **seventeenth** day of **April**, 1930

EDWARD HYATT
State Engineer

By Harold Conkling
Deputy



10/16/29 RECEIVED NOTICE OF ASSIGNMENT TO Genie L Horn

11/2/65 RECEIVED NOTICE OF ASSIGNMENT TO Richard C. ...

5 ~~11/2/73~~ RECEIVED NOTICE OF ASSIGNMENT TO Henry Wiley Eitel & Loretta Beth Eitel

1-15-87 Ownership Chgo to Loretta Beth Eitel

LICENSE 903	STATE OF CALIFORNIA	LICENSE
DEPARTMENT OF PUBLIC WORKS		TO APPROPRIATE WATER
DIVISION OF WATER RESOURCES		ISSUED TO <u>Charles M. Horn</u>
		DATED <u>April 17, 1930</u>

TABLE 9-25 1600 CALIFORNIA STATE PRINTING OFFICE

State Water Resources Control Board

July 22, 2016

MISTI SULLIVAN
PO BOX 68
BRIDGEPORT, CA 93517

In Reply Refer to:
SS: A003464

Dear Ms. Sullivan:

LICENSE 903 (APPLICATION A003464) A SPRING TRIBUTARY TO ROBINSON CREEK IN MONO COUNTY

Owner of Record Information

The Division of Water Rights (Division) received notification on June 13, 2016 that Misti Sullivan is the owner of the property served by (APN: 010-090-005-000) the water right License 903 (A003464). Generally, the ownership of a water right transfers with the change in ownership of the property being served which is identified as the place of use in the permit or license. A copy of this water right can be obtained by searching for your license and permit number from the Division's website at: <https://ciwqs.waterboards.ca.gov/ciwqs/ewrims/EWPpublicTerms.jsp>

You are herein advised that unless the Division is informed in writing to the contrary within 30 days of the date of this letter, the Division records will show ownership as follows:

Primary Owner:

MISTI SULLIVAN
PO BOX 68
BRIDGEPORT, CA 93517

Co-Owner:

ROBERT HAYES
PO BOX 68
BRIDGEPORT, CA 93517

Co-Owner:

TIMOTHY SULLIVAN
PO BOX 68
BRIDGEPORT, CA 93517

Ownership Rights and Responsibilities

The Division's processing of the change in ownership is an administrative procedure and does not constitute a technical review of diversion or beneficial use of water under this right.

It is the responsibility of the new owner to know the terms and conditions of the Water Right. Below are some of the requirements of the new owner:

Designation of Primary Owner or Agent

One person must be designated to act as a primary owner or agent to represent all owners of the water right. Once a primary owner or agent is established, notice to the primary owner or agent is considered notice to all owners. When a primary owner or agent is not identified, the Division identifies the primary owner based on the majority ownership of the place of use and/or ownership of the point of diversion. All owners, however, have an opportunity to mutually designate another representative by signing and returning an Agent Assignment form that is available at: http://www.waterboards.ca.gov/water_issues/programs/ewrims/ownership/index.php

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

6. Maximum Rate of Diversion	
Month	Rate of Diversion (Cubic Feet Per Second)
January	0.0050
February	0.0050
March	0.0070
April	0.10
May	0.12
June	0.15
July	0.20
August	0.30
September	0.30
October	0.20
November	0.05
December	0.0050

7. Water Transfers	
7a. Water transferred	No
7b. Quantity transferred (Acre-Feet)	
7c. Dates which transfer occurred	/ to /
7d. Transfer approved by	

Water Supply Contracts	
7e. Water supply contract	No
7f. Contract with	
7g. Other provider	
7h. Contract number	
7i. Source from which contract water was diverted	
7j. Point of diversion same as identified water right	
7k. Amount (Acre-Feet) authorized to divert under this contract	
7l. Amount (Acre-Feet) authorized to be diverted in 2020	
7m. Amount (Acre-Feet) projected for 2021	
7n. Exchange or settlement of prior rights	
7o. All monthly reported diversion claimed under the prior rights	
7p. Amount (Acre-Feet) of reported diversion solely under contract	

8. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Credits Claimed			
Claimed? (Yes/No)	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
	No	No	No
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Attachments		
File Name	Description	Size
No Attachments		

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Contact Information of the Person Submitting the Form	
First Name	Misti
Last Name	Sullivan
Relation to Water Right	Primary Owner of Record

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Misti Sullivan
Date of Signature	03/25/2021



e-WRIMS Public Summary Page

[\[Return to Water Right Search\]](#)

[\[Return to Water Right Search Results\]](#)

Application ID: A003464 [View Document](#) Water Right Type: Appropriative
 Permit ID: 001594 Water Rights Status: Licensed (06/04/1923) [View Map](#)
 License ID: 000903 Primary Owner: MISTI SULLIVAN

Current Parties	Relationship	Effective Date	Last Modified Date
MISTI SULLIVAN	Primary Owner	06/13/2016	06/13/2016
TIMOTHY SULLIVAN	Non-Primary Owner	06/13/2016	06/13/2016

Need to report a change of ownership or agent? [Click Here](#)

Historical Parties

Record Summary	
Application Acceptance Date	06/04/1923
Permit Issuance Date	01/04/1924
License Issuance Date	04/17/1930
Face Value Amount	233.5

Name(s) of Sources of Water	County Location	Parcel Number	Diversion Site Name	Lat/Long Coordinates
UNSP	Mono			38.17846824 ; -119.35227677

[Map It](#)

Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Irrigation	44.0	4/1 to 10/31	

Electronic Reports				
Year	Revision	Report Type	Date Received	View Report PDF
2020	1	Report of Licensee	03/25/2021	• View
2019	1	Report of Licensee	03/24/2020	• View
2018	1	Report of Licensee	05/15/2019	• View
2017	1	Report of Licensee	05/02/2018	• View
2016	1	Report of Licensee	05/02/2018	• View
2015	1	Report of Licensee	09/13/2016	• View
2013	1	Report of Licensee	06/25/2014	• View
2012	1	Report of Licensee	06/25/2013	• View
2011	1	Report of Licensee	03/22/2012	• View
2010	1	Report of Licensee	11/29/2011	• View

*For reports submitted prior to 2009, please contact our records room.

Water Rights Associated with Primary Owner		
Application ID	Water Right Type	Water Right Status
A003464	Appropriative	Licensed

Associated Decisions/Orders			
Decision/Order Number	Date	Description	View Document

Stephen A. Marti
PO Box 1738
Gardnerville, NV 89410

XRAYED US MARSHALS SERVICE



1020



89501

U.S. POSTAGE PAID
FORM 3849
GARDNERVILLE, NV
SER. 30, 21
AMOUNT
\$1.56
R2304W120807-01

Chief Deputy Clerk
United States District Court
For the District of Nevada
400 South Virginia Street, suite 301
Reno, Nevada 89501